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January 18, 2008

Client-Matter: 40885-060

VIA ELECTRONIC FILING

The Honorable Jeffrey S. White
United States District Court, Northern District of California
450 Golden Gate Avenue
San Francisco, CA 94102

Re: Visa U.S.A. Inc. v. Maritz Inc.
Case No. CV-07-5585 JSW

Dear Judge White:

Defendant and Counterclaimant Maritz Inc. ("Maritz") and Plaintiff and Counterclaim Defendant Visa USA Inc. ("Visa") submit this joint letter requesting that the Court clarify what appears to be a typographical error in its January 17, 2008 *Order Denying Defendant's Administrative Request to Continue Hearing and Ex Parte Application for Discovery* (the "Order"). Specifically, the briefing schedule in the Order states that Visa's Opposition to Maritz's Motion on the need for discovery, and that Maritz's Reply in support of its Motion, are both due on February 8, 2008. The parties respectfully request that the Court clarify its intentions with respect to the briefing schedule. If it is helpful to the Court, the parties would stipulate to the following slightly revised schedule: Visa's Opposition will be due on February 4, 2008; and Maritz's Reply will be due on February 11, 2008. The hearing would remain scheduled for February 22, 2008.

Maritz would also like to inform you that its lead counsel, the undersigned, currently has a hearing scheduled for 9:00 a.m. on February 22, 2008 before the Honorable Frank Roesch in Alameda County Superior Court (see attached Notice of Hearing). I intend to raise this conflict with Judge Roesch when he returns from vacation this Tuesday, January 22, 2008. In the meantime, the parties are available to have this matter heard at 1:30 p.m. on February 22, 2008 should that be acceptable to the Court.

Respectfully submitted,

/s/Ronald S. Katz

Ronald S. Katz

Counsel for Defendant and Counterclaimant
Maritz Inc.

Exhibit A



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14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
15 **FOR THE COUNTY OF ALAMEDA**

16 JENNIFER LIN and FREDERIC LIN,
17
18 Petitioners and Plaintiffs,

19 v.

20 CITY CLERK OF THE CITY OF
21 PLEASANTON and DOES 1 through 25;

22 Respondents and Defendants.

23 KAY AYALA and DOES 26 through 75,

24
25 Real Parties in Interest and
26 Defendants

FILED
ALAMEDA COUNTY

DEC 20 2007

CLERK OF THE SUPERIOR COURT
BY Calipuro C. Angon DEPUTY

CASE NO. RG07361370

UNLIMITED JURISDICTION

**[PROPOSED] ORDER GRANTING EX
PARTE APPLICATION FOR
ORDER ~~ALTERNATIVE WRIT~~ SETTING
BRIEFING AND HEARING SCHEDULE
ON PETITION FOR PEREMPTORY
WRIT**

Date: December 20, 2007

Time: 1:30 p.m.

Dept: 31

Judge: Hon. Frank Roesch

Petition filed December 14, 2007

1 This matter came on for ex parte hearing on the December 20, 2007, in Department 31,
 2 the Honorable Frank Roesch, presiding. After considering the application papers of Petitioners
 3 Jennifer Lin and Frederic Lin, and considering the argument of counsel and good cause
 4 appearing, it is ORDERED that ex parte application is GRANTED. The following briefing and
 5 hearing schedule shall apply:

6 Petitioner's Opening Brief: January 17, 2008

7 Respondent's and Real Party's Opposition Brief: February 7, 2008

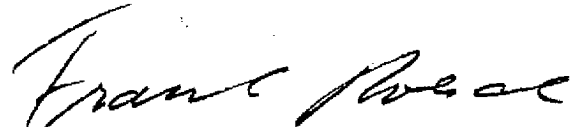
8 Petitioner's Reply Brief: February 15, 2008

9 Hearing: ~~February 20, 2008, 9:00 a.m.~~ *February 22, 2008, 9am* *FR*

10 The parties shall serve their briefs by hand delivery, facsimile transmittal or email
 11 transmission by 5:00 p.m. on the same day as they file their briefs with the Court.

12 SO ORDERED.

13 Dated: December 20, 2007

14 
 15 _____
 16 Judge of the Superior Court